

JOSEPH P. RUSSONIELLO (CBN 44332)
United States Attorney
THOMAS MOORE (ASBN 4305-078T)
Assistant United States Attorney
Chief, Tax Division
CYNTHIA STIER (DCBN 423256)
Assistant United States Attorney
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7000
Facsimile: (415) 436-6748
Email: cynthia.stier@usdoj.gov

Attorneys for the Defendants
United States of America and
Internal Revenue Service

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SHARON DE EDWARDS, M.D., FACOG,)
INC., a corporation, and SHARON DE)
EDWARDS, M.D., as President and officer)
of the corporation,)

Plaintiffs,

v.

INTERNAL REVENUE SERVICE,)
UNITED STATES GOVERNMENT)
DEPARTMENT OF THE TREASURY,)
KATHY JAKABCIN, JOSEPH SMITH,)
Revenue Officers, and Does 1 through 50,)
Inclusive,)

Defendants.

No. C 07-03102 WHA

**CERTIFICATION PURSUANT
TO 28 U.S.C. § 2679(d)**

I, Joann M. Swanson, hereby certify as follows:

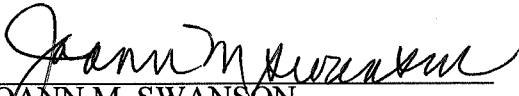
1. I am the Chief of the Civil Division of the United States Attorney's Office for the Northern District of California. Pursuant to written delegation from Joseph P. Russoniello, the duly appointed United States Attorney for the Northern District of California, I have been authorized to exercise on behalf of the United States Attorney the authority vested in him by the Attorney General, pursuant to 28 C.F.R. § 15.3, to certify pursuant to 28 U.S.C. § 2679(d) that a
///

Certification Pursuant to
28 U.S.C. § 2679(d) - Jakabcin and Smith

1 federal employee is named as a defendant in a civil action was acting within the course and scope
2 of his or her employment with reference to the matters alleged in the suit.

3 2. I have reviewed the complaint in the above-captioned action. On the basis of that
4 complaint and certain other information provided to me, pursuant to the provisions of 28 U.S.C.
5 § 2679(d) and by virtue of the authority vested in me as set forth above, I hereby certify that
6 Kathy Jakabcin and Joseph Smith were acting within the course and scope of their employment
7 as employees of the Internal Revenue Service at the time of the incidents out of which plaintiff's
8 claims arose.

9
10
11
12 Dated: February 7, 2008


JOANN M. SWANSON
Chief, Civil Division